

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

SADIE HACKLER, on behalf of herself
and all others similarly situated,

Plaintiff,

V.

TOLTECA ENTERPRISES, INC. d/b/a
PHOENIX RECOVERY GROUP,

Defendant.

§
§
§
§
§
§
§
§
§
§

Case No. 5:18-CV-00911-XR

**ADVISORY TO THE COURT REGARDING
THE CLASS MEMBERS AND REQUESTS FOR EXCLUSION**

Plaintiff and Class Representative Sadie Hackler, by and through her counsel of record, and pursuant to the Court's Order of May 28, 2020 (ECF No. 47), advises the Court of the following:

1. Advisory as to the status of the list of class members.

Defendant has produced two lists of class members. The first was produced on or about June 24, 2020 and only included names. There were approximately 13,800 names in the list. Plaintiffs' counsel urged and re-urged the defendant to produce a list that included names and addresses.

On or about July 14, 2020 Defendant produced a second list. The second list contained what appears to be the same names. It also included addresses. Some names had as many as four addresses, in total the spreadsheet contained approximately 14,700 entries including names and addresses. Defendant is unable or unwilling to further narrow the list.

Defendant had a deadline to review the list of class members and certified to the Court that is complete and correct according to the its records. Defendant made no such certification to the Court.

2. Advisory as to the deadline by which requests for exclusion must be received.

As to the date by which a class member's request for exclusion must be received Plaintiff believes Friday, October 30, 2020 is reasonable. It is more than 60 days from the deadline for class notice to be mailed (August 24, 2020) and will provide an adequate amount of time for class members to seek advice from counsel and/or exclude themselves from the class.

Respectfully submitted,

LAW OFFICE OF BILL CLANTON, P.C.
926 Chulie
San Antonio, TX 78216
(210) 226 0800 Telephone
(210) 338 8660 Facsimile

BINGHAM & LEA, P.C.
319 Maverick Street
San Antonio, Texas 78212
(210) 224-1819 Telephone
(210) 224-0141 Facsimile

BY: /s/William M. Clanton
BENJAMIN R. BINGHAM
State Bar No. 02322350
ben@binghamandlea.com
WILLIAM M. CLANTON
State Bar No. 24049436
bill@clantonlawoffice.com

Counsel for Plaintiff